

### **CONTINUED EXAMINATION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/5/2010 has been entered.

### **CLAIM REJOINDER**

2. Applicant's remarks, received 4/5/2010, urge that "the examiner inadvertently failed to examiner [sic] claims 27-29 [sic] (should be 39)" in the Final Office Action dated 12/3/2009. Applicant is referred to his election made in the remarks filed on 8/4/2009 to which the Final Office Action was responsive that clearly elects "Group I, claims 12-25" without traverse. Therefore, the examiner's intentional disregard of claims 27-39 was at the applicant's instruction and entirely proper in response to applicant's communication received on 8/4/2009.

3. Nevertheless, upon review of the claims submitted on 4/5/2010, and having found that claims 17-25 and 41-46 are allowable over the prior art, the examiner has reviewed non-elected claims 27-39 and has determined that while they are still patentably distinct from the elected claims they are allowable for the same reasons as the elected claims. Being that the common limitations render all of the claims allowable over the prior art no burden continues to exist and the restriction of claims 27-39 is hereby withdrawn.

### **CONTACT INFORMATION**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Koehler whose telephone number is (571)272-3560. The examiner can normally be reached on Mon.-Fri. 7:30A-4:00P.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David P. Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. M. K./  
Examiner, Art Unit 3726

/DAVID P. BRYANT/  
Supervisory Patent Examiner, Art Unit 3726